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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 EDWARD ALVARADO, *et al.*,

No. C 04-0098 SI

9 Plaintiffs,

10 v.  
11 FEDERAL EXPRESS CORPORATION,  
12 Defendant.

**ORDER VACATING DOCKET NO. 1288  
AND REFERRING DOCKET NO. 1283 TO  
SPECIAL MASTER FOR DECISION IN  
THE FIRST INSTANCE**

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14 On February 2, 2009 the Court granted Mr. McCoy's motion to specially appear in proceedings  
15 before the Special Master. At the time the Court granted the motion, the Court was not aware of  
16 defendant's objection to that motion, which was also filed on February 2, 2009. The Court hereby  
17 VACATES Docket No. 1288. Because Mr. McCoy's motion pertains to proceedings before the Special  
18 Master, the Court finds it prudent to refer the motion (Docket No. 1283) to the Special Master for  
19 decision in the first instance.

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21 **IT IS SO ORDERED.**

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23 Dated: February 3, 2009

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SUSAN ILLSTON  
United States District Judge